

rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sariti* in view of *Nakamura*, U.S. Patent No. 4,969,196. Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sariti* as applied to claim 6 and further in view of *Lee et al.* or *Numa*. Claims 10 and 12-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Takahashi* in view of *Sariti* and further in view of *Nakamura*. Claim 11 stands rejected as under 35 U.S.C. 103(a) as being unpatentable over *Takahashi* in view of *Sariti* and *Nakamura* as applied to claim 10 and further in view of *Lee et al.* or *Numa*. The drawings are objected to.

Summary of the Response to the Final Office Action

Although Applicants do not necessarily agree with the reasoning expressed in the Final Office Action, in order to expedite the prosecution of this case, Applicants are amending claims 4, 6 and 10. Claims 2-13 are currently pending in this application.

The Rejections under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejections under 35 U.S.C. § 103(a) for the following reasons:

Claim 4, as amended, recites a combination including “a cylindrical voice coil having a circular cross-section . . . , . . . a plate-shaped magnet having a rectangular shape and having a circular through hole in its center.” Support for the language of the amendment may be found in FIG. 1 of the present application and in the inherent nature of a cylindrical voice coil. This arrangement results in the advantage of having a magnetic field around the voice coil that is

relatively strong in the longitudinal direction of the rectangular magnet plate, but is relatively weak in the lateral direction. None of the cited references, singly or in combination, teach or suggest at least the above combination, or recognize the advantages of the above combination. Further, Applicants respectfully submit that the above-described effect would not be obvious to one of ordinary skill in the art. Additionally, Applicants respectfully point out that *Sariti* teaches a square shape, and not a rectangular shape in its figures.

For a proper rejection under 35 U.S.C. § 103(a), "the references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention." See M.P.E.P. § 2141. Accordingly, in view of the above arguments and amendments, claim 4 is believed to be allowable under 35 U.S.C. § 103(a) over the cited references.

Claims 6 and 10 are allowable for essentially the same reasons as those applicable to claim 4, as well as for the features recited therein.

Claims 2, 3 and 5 depend from independent claim 4 and are allowable under 35 U.S.C. § 103(a) at least because independent claim 4 is allowable.

Claims 7-9 depend from claim 6 and are allowable under 35 U.S.C. § 103(a) at least because claim 6 is allowable.

Claims 10-13 are allowable under 35 U.S.C. § 103(a) at least because claim 6 is allowable.

The Objection to the drawings

In a Request for Approval of Drawing Change submitted herewith, Applicants respectfully request that FIG. 3 be amended as indicated in red highlighter, to address the Examiner's objections.

Applicants submit that no new matter has been added.

The Amendment to the specification

The specification is amended to conform to the amendment to FIG. 3.

CONCLUSION

In view of the foregoing, Applicants respectfully request the entry of the Amendments to place the application in clear condition for allowance or, in the alternative, in better form for appeal.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite the prosecution.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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